UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,656	07/05/2001	Yasushi Takahashi	450100-4678.1	8641

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EXAMINER
SAJOUS, WESNER

ART UNIT	PAPER NUMBER
2676	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/899,656	TAKAHASHI ET AL.
	Examiner	Art Unit	
	Sajous Wesner	2676	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 July 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>18-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>18-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>7/5/2001</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This communication is responsive to the preliminary amendment and response

dated July 5, 2001 and August 29, 2005. Claims 18-32 are presented for examination.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 18-20, and 23-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Davis (US 5822123) in view of Japanese patent publication #

11075127) assigned to Nippon Telegraph, hereinafter Nippon).

Considering claims 18-20, Davis discloses an information processor (see fig. 1,

particularly items 16 and 27) for processing guide information (e.g., TV guide, item 61A

of fig. 6 via item 11 of fig. 1) for giving guide on programs (see figs. 18-20), comprising

inserting means (e.g., the combined functions of items 16 and 31 of fig. 1) for inserting

identification codes (e.g., program's codes) identifying ... program descriptions (e.g., the

program signal received by the television receiver. See col. 26, lines 45-60, wherein the

program descriptions comprise text information; e.g., title information). In addition,

Davis discloses a plurality of types of identification codes (e.g., a plurality of content-

specific keys) and said inserting means (e.g., remote controller 40) inserts said

identification codes corresponding to the contents of ... guide information. See col. 31, lines 37-51.

Davis fails to teach identifying keywords in the program description [according to content text information], and storing the program guide information in a table according to identification codes.

Nippon teaches the functional equivalence for identifying keywords description [according to content text information], in the program description and storing the program guide information in a table according to identification codes. See "Novelty" and "Title" sections of the Nippon reference. Note that since keywords are being inputted or inserted for searching program information, it encompasses the identification of the keywords according to text data, and since a plurality of keywords are inserted searching and matching, the system of Nippon intrinsically encompass a plurality of types of keywords of text information. See also col. 2, lines 25-40 of US patent # 6230324 as a supplemental reference for contemplating the storing of keywords associated with program guide information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention made to modify the features of Davis to include the identifying keywords in the program description and storing the program guide information in a table according to identification codes, in the same conventional manner as taught by Nippon; so that a TV program that suits user's demand is efficiently classified using a simple procedure. See "Advantage" section of Nippon.

As per claim 23, Davis discloses transmitting means (e.g., via items 16 and 11, fig. 1) for transmitting said guide information in which said identification codes have been inserted together with said program. See col. 26, lines 49-56.

Claim 24 contains features that are analogous to the limitations recited in claim 18. As a result, the limitations of claim 24 are therefore, rejected under the same rationale as claim 18.

Regarding claims 25-27, Davis discloses an information processor (see fig. 1, particularly, items 16 and 27) for processing transmitted data (e.g., data streams via item 11 of fig. 1), comprising, when said transmitted data contains guide information for giving guide on programs (see col. 9, lines 8-30) and identification codes (e.g., program's codes) for identifying ... program descriptions (e.g., the program signal received by the television receiver. See col. 26, lines 45-60, wherein the program descriptions comprise text information; e.g., title information). . Moreover Davis discloses separating means (e.g., items 13 and 16, fig. 13) for separating said guide information from said transmitted data (note that when the transmitted data streams including the program guide is demodulated and is provided to microcontroller 16 that capture the program guide information and store it ROM 17 (see col. 9, lines 28-45), the guide information is thus separated from the transmitted other services in the data streams)). Further, Davis discloses sampling means (e.g., a lock program, by means of items 16 and 40 of fig. 1) for sampling said predetermined parts (titles, or channels or category listings) out of said guide information based on said identification codes inserted into said guide information (it is noted that once controller 16 is used to lock or

lock-out a particular channel or program title or category from the program via an identifier code (see cols. 25-26, specifically col. 26, lines 34-56), the particular program channel or title or category, which constitute parts of the program guide, is sampled out of the program guide or among the program titles or channels or category listings because it will be restricted the user)); and processing means (16) for implementing predetermined processes based on the sampling result said sampling means. See col. 26, lines 34-60 and/or lines 5-60. In addition, Davis discloses a plurality of types of identification codes (e.g., a plurality of content-specific keys) and said inserting means (e.g., remote controller 40) inserts said identification codes corresponding to the contents of ... guide information. See col. 31, lines 37-51.

Davis fails to teach identifying keywords in the program description [according to content text information], and storing the program guide information in a table according to identification codes.

Nippon teaches the functional equivalence for identifying keywords description [according to content text information], in the program description and storing the program guide information in a table according to identification codes. See "Novelty" and "Title" sections of the Nippon reference. Note that since keywords are being inputted or inserted for searching program information, it encompasses the identification of the keywords according to text data, and since a plurality of keywords are inserted searching and matching, the system of Nippon intrinsically encompass a plurality of types of keywords of text information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention made to modify the features of Davis to include the identifying keywords in the program description and storing the program guide information in a table according to identification codes, in the same conventional manner as taught by Nippon; so that a TV program that suits user's demand is efficiently classified using a simple procedure. See "Advantage" section of Nippon.

As per claim 28, Davis discloses processing means (e.g., controller 16) controls display ... in displaying the guide information. See col. 25, lines 40-47. Nippon discloses control the display of keywords in displaying the program guide information and program descriptions, the features that is lacking by Davis. See claim 25 for reason of obviousness.

As per claim 29, Davis discloses processing means (e.g., controller 16) retrieves the guide information containing the predetermined part. See col. 25, lines 30-47. See claim 25 for reason of obviousness.

Claim 30 contains features that are analogous to the limitations recited in claim 25. As a result, the limitations of claim 30 are, therefore, rejected under the same rationale as claim 25.

3.   Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis (US 5822123) in view of Japanese patent publication # 11075127) assigned to Nippon Telegraph, hereinafter Nippon), and further in view of Goldstein (US 5410326).

Regarding claim 31, Davis shows the receiver (see fig. 1, particularly the functions of items 12-13 and 16 that performs the separating means, the sampling means and the processing means, as claimed. And, Nippon discloses the identification of keywords description [according to content text information], in the program description and storing the program guide information in a table according to identification codes. See rejections of claims 25-27 above as rationale. It is further noted that the signal that is processed by the processor (12, 13, and 16) in Davis already has the transmitted data (via item 11) including electronic program guide information having program descriptions and the microcontroller in association with controller 40 perform the inserting of identification codes therein. See col. 9, lines 8-30, and col. 26, lines 45-60.

What is lacking by the Davis reference is the transmitting aspect of the claim that is associated with the broadcasting system.

Goldstein discloses a broadcasting system (e.g., items 6-9 of fig. 1, particularly TV receiver 9 in association with remote controller 5) that transmits and receives data. See abstract and col. 7, line 66 to col. 8, line 6 and lines 56-61. See also fig. 14.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention made to modify the features of Davis and Nippon to include the transmitting aspect of the claim that is associated with the broadcasting system, in the same conventional manner as taught by Goldstein; in order to communicate data to the broadcasting system for further processing.

Claim 32 contains the limitations of claim 31; it is, therefore, rejected under the

same rationale as claim 31.

Allowable Subject Matter

4.   Claims 21-22 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims, because the prior art fail to teach <u>inserting</u>

<u>identification codes, including a plurality of types corresponding to keywords of said text</u>

<u>information, for identifying keywords in the program description according to the content</u>

<u>of text information into the descriptions of the electronic program guide information,</u>

<u>wherein said identification code that includes identifiers identifying the position of the</u>

<u>predetermined character part within said text and classification information for</u>

<u>classifying the predetermined character part</u>.

Conclusion

5.   The prior art made of record and pertinent to this application are as recited in the

PTO-892 form.

Tomita et al. (US 6230324) disclose a management unit for storing keywords contained

in broadcast-program information. See col. 2, lines 25-40.

Any inquiry concerning this communication or earlier communications from the

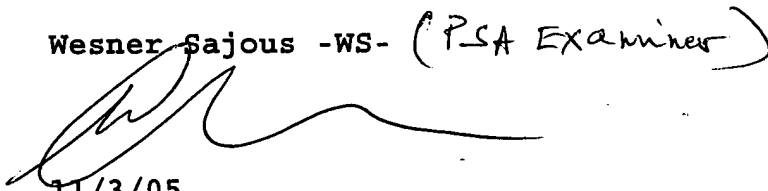examiner should be directed to Sajous Wesner whose telephone number is 571-272-

7791. The examiner can normally be reached on Mondays thru Fridays between 11:00

AM and 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

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Business Center (EBC) at 866-217-9197 (toll-free).

Wesner Sajous -WS- (PSA Examiner)

11/3/05